

**TOWN OF HAMILTON
BOARD OF SELECTMEN
APRIL 8, 2013**

The Board of Selectmen met at Hamilton Town Hall at 7:00 p.m. on Monday, April 8, 2013 with David Neill, Marc Johnson, Jennifer Scuteri, Jeff Stinson and Jeff Hubbard present. Town Manager Michael Lombardo and Finance Director Deborah Nippes-Mena also present.

Call to order

Chair David Neill called the meeting to order at 7:00 p.m.

Public Comment

None.

Town Manager's report

Town Manager Michael Lombardo noted that Annual Town Meeting was efficient and went well. Discussion ensued with Selectmen where Town officials noted that the slides were executed well, that the bond counsel information on the Essex Agricultural/Technical School vote was frustrating, that FinCom Chair John McWane did a great job summarizing Hamilton's finances, that this year's experience not fighting over school budget due to leadership from new Superintendent of Schools Michael Harvey was rewarding, that Lombardo would apologize to State Representative Brad Hill about timing at ATM where Hill had to leave before having a chance to speak, that Town Moderator Bruce Ramsey managed timing of ATM and holds well, that Town officials appreciated department heads attending Town Meeting to answer questions if necessary, and that Jeff Stinson was taking a mandatory Ethics exam in preparation for bar exam in June which prevented him from attending ATM.

Lombardo acknowledged list of questions received by resident Bob Gray that will be answered by Town officials in the near future. Also, that Bruce Haskell from CDM/Smith would be working with Lombardo to get details completed on RFQ for anaerobic digester at landfill.

Discussion ensued about FY'13 budget issues as upcoming Board agenda item, and that interim DPW Director Dave Hanlon is creating a good dynamic in

public works department and is shedding light on technical grant, as well as summer and facility programs.

Chairman/Selectmen reports

None.

Consent Agenda

Neill read the details about the items in the Consent Agenda:

Permission to hold Event & Signage:

- **Neurofibromatosis, Northeast** seeks permission to use town roads for a Cure bike ride on September 7. The route includes 18 communities, beginning in Gloucester at 7 a.m.
- **H-W LWV** seeks permission to hang banner from the tennis court to promote the **vote at Town Election April 11** and the **State Primary Election April 30**.
- **Green Meadows Farm with the National Farmers Market Association** seeks permission to use part of Patton Estate land for a Fresh Food 5k and 1 mile race, part of Fresh Food Day celebration at Green Meadows Farms on Saturday, May 25.
- **HWRHS** seeks permission to hang banner on front lawn of the Senior Center from April 26 to May 10 promoting Reunion Weekend to celebrate the 50th Anniversary of the HWRHS.
- **HW Garden Club** seeks permission to hold Annual Plant Sale on Saturday, May 18 from 9 a.m. to 1 p.m. on the front lawn of the Senior Center and to hang a banner from May 11 to May 18 promoting event from the posts on the lawn of the Senior Center.
- **Common Victualler's License** for R.&A. Restaurant, Inc. DBA Jumbo House Quang Chen is the Manager for the new owners.
- **Approval of Minutes** – March 18, 2013 Regular Session and Executive Session

Holds were put on Consent Agenda items for Green Meadows Farm and HW Garden Club.

Neill entertained a motion for the Board to approve the non-held Consent Agenda items. Stinson so moved. Marc Johnson seconded motion. VOTE: Unanimous.

Lombardo mentioned that Patton homestead caretaker Peter Nichols has suggested that the lower field at the estate could be farmed in a community garden effort and produce could be given to Acord Food Pantry. Johnson noted that there are raspberries that could be harvested at the site.

Discussion ensued about Green Meadows Farm Consent Agenda item with Heidi Thompson from Peabody Management representing National Farmers Market Association relative to farmers and brewers that will be at the event and Fresh Food 5k and 1 mile race. The 1 mile race would be conducted partially on Asbury Street with majority of race on farm and access road near Patton well on Patton property.

She is working with Hamilton Police Department regarding a police detail since as many as 300 people are expected to attend event. The police department has specified that Thompson get permission from the Town for the runners to go through gate on Patton property and to stay on the race path access route and not go into wet areas on the site or across the lawn. Fencing will be used to define the race route.

Discussion addressed the parking issues where as many as 300 cars could be at the site on May 25 but more people than those parking are anticipated at the event. Thompson explained that trash generated at the event would be removed from the site. Lombardo offered to investigate possibility of park and ride option for event attendees.

Jennifer Scuteri raised the issue of a Town day sponsored by Hamilton on the same day and parking at the homestead for those interested in touring the homestead. These tours would be limited to a certain number of people. She offered to work with Thompson to ensure the two events complement one another. Johnson noted that a larger field day sponsored by the Town would be held in June or in the fall.

Discussion ensued about how Maureen Hickey, assistant to the Town manager, can provide details about permitting applications that are required by Hamilton for Green Meadows Farm event. Thompson said insurance information was provided to Hickey.

Neill entertained a motion to grant permission for Green Meadows Farm with the National Farmers Market Association to use part of the Patton Estate land for a Fresh Food 5k and 1 mile race, part of Fresh Food Day celebration on Saturday, May 25 and also permission to use the access road around the estate on Town-owned land. Stinson so moved. Hubbard seconded motion. VOTE: Unanimous.

Discussion ensued with Edwin Howard, 10 Meyer Lane, who asked for clarification on use of Senior Center for non-governmental groups that were denied use of property since it is not properly insured. This was in reference to HW Garden Club seeking permission to use site for plant sale outside on May 18.

Lombardo said this is not an insurance issue the Town should have a comprehensive policy outlining terms and conditions for using facility that currently does not exist. Council on Aging Director Mary Beth Lawton has created a draft policy for this purpose. He explained that a Town staff person (Maureen Hickey) has an affiliation with garden club and reiterated that the event is held outside of the building.

Jeff Hubbard suggested that the policy should describe how events and banners could be centralized in Town. Lombardo said it could extend to use of the gym next to the Recreation Department office at the HW Public Library site. Neill noted that the Selectmen have recognized that the COA is the principal user of Senior Center building. Lombardo mentioned that when a policy is in place for non-governmental groups the importance of treating each organization fairly relative to use of building. Selectmen agreed that this should be consistent and noted how the HW public library facility is currently used depends upon library staff hours. Town officials agreed to discuss further when it is an agenda item.

Neill entertained a motion to approve the HW Garden Club's use of the Senior Center site on Saturday, May 18. Hubbard so moved. Stinson seconded motion. VOTE: Unanimous.

PILOT Letter

Discussion ensued about draft PILOT letter that Stinson had written for Board review intended for distribution to non-profit entities in Town for their consideration of financial or service contributions that they could make to the Town since they are tax-exempt. Scuteri suggested that these entities should be invited to a Selectmen's meeting for a discussion. Stinson and Neill thought this letter request could burden struggling non-profit and tax-exempt entities by causing them to feel compelled to make a contribution in lean times which could potentially impact their own programs. Neill was not in favor of approaching the Town's non-profit organizations as part of a PILOT program and he thought the letter would send the wrong message from Hamilton.

Discussion addressed the unique Gordon Conwell Theological Seminary situation with seminarian children attending the public schools as an expensive burden for Hamilton considering the Town's current financial circumstance which makes it difficult to pay this expense.

Scuteri reiterated the importance of revising the letter and intent for a discussion with non-profit entities. She cited example of a church in Hamilton that could allow Town use of its gymnasium. Stinson noted that his church offers use of its front lawn but that the tax-exempt organization was struggling. Hubbard suggested that it was important that the non-profit organizations in Town do not present any burden to Hamilton. He added that the in-kind action toward the Town by the seminary does not equal the cost burden. Scuteri emphasized that there should be a policy to address this cost burden and PILOT issue across all non-profit/tax-exempt entities.

Johnson noted that GCTS has special issues and there are a gradient of other non-profits that have some burden (i.e., Pingree School: public safety calls, wear/ tear and impact on Town roads and water use). Neill concurred that the GCTS situation has students to be educated in the public schools, more traffic in Town and Hamilton had to buy a special fire truck to reach student housing building; although he wanted more numbers on Pingree to identify any burden to Hamilton.

Discussion continued with Johnson reiterating that Board could look at extreme identifiable, non-ordinary burden from non-profit, tax-exempt entities. Scuteri repeated her interest in a reach-out meeting where discussion could occur on what resources could be shared, while Neill said again that he was not in favor of

such a meeting. Stinson suggested that the Board withhold asking for a contribution in the letter.

Update on Gordon Conwell

Neill discussed an email that he had received from Dennis Hollinger, president of GCTS, relative to proposed Board of Selectmen meeting with seminary officials where they would explain GCTS' situation and position rather than have a negotiation discussion with Selectmen. He will forward the email to the Board.

Discussion ensued where Selectmen thought two Board members should attend the GCTS meeting proposed by seminary officials to listen to GCTS' position and bring information back to the Board. Scuteri noted that the Board currently doesn't have a defined position on the GCTS matter.

Hubbard emphasized the importance of coming up with a solution between the Town and seminary by working together to recognize the reality of the cost for Hamilton to educate the seminarian children in the public schools.

Also addressed by Selectmen was that seminary planned to have legal counsel at the meeting to describe GCTS' legal position. Stinson and Scuteri thought there should be consideration for the Town to have legal representation at the meeting as well. Lombardo suggested since the meeting is a listening rather than negotiation session then legal counsel could guide the Board but not at this meeting but perhaps at a subsequent meeting between Town and seminary officials. Neill summarized the Board discussion noting that Hubbard and Scuteri would be the Selectmen representatives to attend the GCTS meeting once a date is set.

Update on Pirie Property

Johnson updated Board on progress Pirie Property working group is making to assess whether or not the Town should consider acting on its right of first refusal to buy the property. The working group will be analyzing traffic information, economics and other items and it hopes to reach a decision by the end of April. The decision reached will determine whether or not a Special Town Meeting is held in June. Stinson noted that he would no longer be serving on Board and recommended another Selectman be involved in Pirie property working group.

Discussion ensued about cottage development that has occurred in Concord and if there was applicability at the Pirie property. Johnson said one developer for Pirie property had sketched a lateral design. Also, the Planning Board was willing to consider more density resulting in lower price points and smaller units to address housing needs in Town. Johnson said Pirie property could accomplish that goal. John McWane and the Finance Committee are evaluating assumptions for the Pirie property including amount of property taxes for Town.

Discussion addressed whether or not another buyer of property would consider a similar housing project so the Town would not have to make the financial investment. Johnson said Attorney Jim Kroesser representing existing buyer with property under contract who is awaiting a decision by the Town about the right of first refusal is interested in selling the land to five people in an identified configuration. Johnson believes trails and open space would continue to be protected likely under Chapter 61 but Town's housing objectives and housing revenues would not be realized under the current buyer's scenario.

Consideration of topics for discussion at future Selectmen's meetings

Discussion ensued about topics for discussion for future Board meetings including annual reorganization of Board, code of conduct for Selectmen, formal process for Town manager's evaluation where Stinson will synthesize Board's evaluation results to provide a consolidated feedback document that will be build a consensus view to be presented at Board meeting on April 29.

At the Board's April 22 meeting, Selectmen will follow up on budget process, address working group recommendation on Pirie property and discuss Town's decision to switch to a full time Council on Aging director and have a policy discussion relative to addressing senior population in Hamilton, as well as respond to items of public interest (i.e., list from Bob Gray). Hubbard acknowledged that this was Stinson's last meeting as a Selectman and the Board thanked him for his service.

Neill entertained a motion for the Board of Selectmen to adjourn at 8:50 p.m. Hubbard so moved. Stinson seconded the motion. VOTE: Unanimous.

Respectfully submitted by Jane Dooley, Minutes Secretary

ATTEST:



Clerk

